

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

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DOWNEAST BUILDERS	)	
& REALTY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
	)	
ESSEX HOMES SOUTHEAST,	)	
INC., <i>ET AL.</i> ,	)	CASE NO. 3:11-cv-02653-CMC
	)	
Defendants,	)	
	)	Jury Trial Demanded
v.	)	
	)	
	)	
FRANK DOWNEY, and	)	
CATHERINE M. DOWNEY,	)	
	)	
Counterclaim Defendants.	)	

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**NOTICE OF REQUEST FOR PROTECTION**

I respectfully request that the Court provide me with protection from appearing in the above-captioned case from November 19 - 27, 2012. Non-refundable airline tickets have been purchased for a Thanksgiving trip to visit grandchildren in Seattle during this holiday time frame. The Court's favorable consideration in this matter is greatly appreciated.

Dated: October 14, 2012

Respectfully submitted,

/s/ Robert M. Ward

Robert M. Ward  
(DSC ID: 11185)  
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*One of the Attorneys for Essex Homes  
Southeast, Inc. and Essex Homes  
Southeast NC, Inc.*

### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing was filed on the date set forth hereon electronically via CM/ECF in the United States District Court for the District of South Carolina, with notice and copy of same being electronically served by the Court upon all counsel of record.

/s/ Robert M. Ward